

**UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER**

	)	
UNITED STATES OF AMERICA,	)	
Complainant,	)	8 U.S.C. § 1324a Proceeding
	)	
v.	)	OCAHO Case No. 98A00023
	)	
REBECCA FISH, INC.,	)	Judge Robert L. Barton, Jr.
Respondent.	)	
	)	

**ORDER REJECTING RESPONDENT'S ANSWER**

*(December 19, 1997)*

Respondent has submitted an answer (copy attached) to the complaint in this case which does not conform to the OCAHO Rules of Practice, a copy of which was provided to Respondent with the Notice of Hearing. First, the Rules of Practice provide in pertinent part that every pleading (and the answer is a pleading) must be signed, dated, and shall contain the address and telephone number of the party. **28 C.F.R. § 68.7(a) (1994)**. The answer is neither signed nor dated and does not contain the address or telephone number of the Respondent. Further, the Rules require the party to certify that the answer was served on the other party (in this instance, the INS). **28 C.F.R. § 68.6 (1994)**. There is no indication that Respondent sent a copy to the INS. The Rules also require the party to submit an original and two copies of the pleadings. **28 C.F.R. § 68.6(a) (1994)**. The Respondent submitted only an original and one copy.

Because the answer was not prepared or served in the manner required by the Rules of Practice, the answer is not being accepted for filing and is being returned to Respondent. **Respondent is ordered to file, not later than January 15, 1998, an answer which fully conforms to the requirements of the Rules.<sup>1</sup>**

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<sup>1</sup> "File," as used in the Rules, does not mean that the document is mailed by that date, but rather means that the document is received by my office by that date. 28 C.F.R. § 68.8(a).

While I am aware that Respondent is not being represented by counsel, Respondent has been given a copy of the Rules and must abide by them. Respondent should consult the Rules for guidance on the procedures to be filed. After consulting the Rules, if Respondent has any questions about the procedure to follow, it may contact my office at (703) 305-1739 between 8:30 a.m. and 5:00 p.m. Monday-Friday.

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**ROBERT L. BARTON, JR.**  
**ADMINISTRATIVE LAW JUDGE**

# **CERTIFICATE OF SERVICE**

I hereby certify that on this 19th day of December, 1997, I have served the foregoing Order Rejecting Respondent's Answer on the following persons at the addresses shown, by first class mail, unless otherwise noted:

Lisa Fried  
Assistant District Counsel  
Immigration and Naturalization Service  
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(Counsel for Complainant)

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(Hand Delivered)

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Linda Hudecz  
Legal Technician to Robert L. Barton, Jr.  
Administrative Law Judge  
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